

ASSEMBLY BILL

No. 1196

**Introduced by Assembly Member Coto
(Principal coauthor: Assembly Member Yee)**

February 22, 2005

An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1196, as introduced, Coto. Instructional programs: State Seal of Biliteracy.

Existing law sets forth various requirements for the issuance of diplomas, certificates, or other documents conferred upon a pupil as evidence of completion of a prescribed course of study, including, among other courses of study, graduation from high school. Existing law establishes the Golden State Seal Merit Diploma for the purpose of recognizing pupils who have mastered the high school curriculum.

This bill would establish the State Seal of Biliteracy to recognize high school graduates who have mastered speaking, reading, and writing skills in two or more languages, in addition to English. The State Seal of Biliteracy would be awarded jointly by the Superintendent of Public Instruction and the Governor. The bill would require the State Department of Education to provide information to school districts so that the school districts can maintain pupil records and identify pupils who qualify for the seal, and to prepare and deliver to school districts the seal insignias. The bill would require each school district that awards high school diplomas to maintain records in order to identify pupils who have earned a State Seal of Biliteracy and to affix an appropriate insignia to the diploma and transcript of each

pupil that earns a State Seal of Biliteracy. By imposing additional responsibilities on school districts, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) U.S. Senate Resolution 170 has declared 2004 and 2005 as
4 “the Years of Foreign Language Study,” and encourages
5 initiatives to promote and expand the study of foreign languages
6 in elementary and secondary schools because foreign language
7 study makes important contributions to a pupil's cognitive
8 development, our national economy, and our national security.

9 (2) Multiple languages are a critical element in enabling
10 California to participate effectively in a global political, social,
11 and economic context, and in expanding trade with other
12 countries, including those in Latin America and the Pacific Rim,
13 and California's economic well-being depends heavily on foreign
14 trade and international exchange.

15 (3) The demand for employees to be fluent in more than one
16 language is increasing both in California and throughout the
17 world.

18 (4) California is the receiving state for immigrants from all
19 over the world and is home to speakers from hundreds of
20 different language and cultural groups.

21 (5) California's diverse heritage is and has always been rich in
22 multiple languages and cultures, and to protect that heritage, and
23 to build trust and understanding across the multiple language and

1 cultural groups in our diverse communities, requires multilingual
2 skills of communication.

3 (6) The California Master Plan for Education calls for pupils
4 to graduate literate in two or more languages, and the child who
5 knows more than one language enjoys advantages that will
6 continue throughout life, including the educational/intellectual
7 advantages of greater mental flexibility, pattern recognition, and
8 problem solving, as well as increased advantages in the job
9 market.

10 (7) One in four (26 percent) California children ages 5 to 17
11 years, inclusive, are bilingual, they speak English very well and
12 another language with their family, and one in four K-12 pupils
13 are English learners (1.5 million).

14 (8) California has been a national leader in the development of
15 the highly effective dual language immersion program model,
16 now has 189 two-way immersion programs throughout the state,
17 and pupils who graduate from two-way immersion programs
18 receive no formal recognition of their biliteracy skills.

19 (9) Despite the need for foreign language skills, the number of
20 high school pupils in California enrolled in foreign language
21 classes has been dwindling.

22 (10) Maintenance of the family language is the core to
23 strengthening family communication and connection across the
24 generations.

25 (b) It is the intent of the Legislature to promote the
26 development of literacy in two or more languages and to provide
27 recognition of the attainment of such needed and important skills
28 through the establishment of a State Seal of Biliteracy on the
29 high school diplomas of pupils attaining proficiency in two or
30 more languages.

31 SEC. 2. Article 6 (commencing with Section 51460) is added
32 to Chapter 3 of Part 28 of the Education Code, to read:

33
34 Article 6. State Seal of Biliteracy
35

36 51460. (a) The State Seal of Biliteracy is hereby established
37 to recognize high school graduates who have mastered speaking,
38 reading, and writing skills in two or more languages, in addition
39 to English. The State Seal of Biliteracy shall be awarded jointly
40 by the Superintendent and the Governor.

(b) The purposes of the State Seal of Biliteracy are as follows:

(1) To encourage California pupils to develop biliteracy skills.

(2) To change the paradigm about language diversity to an asset orientation.

(3) To certify oral communication and literacy skills in two or more languages so businesses and employers can identify people with needed skills.

(4) To make a symbolic commitment to California's rich and diverse language assets.

(5) To encourage the development of two-way immersion programs, foreign and second language programs, and heritage language programs in California K-12 schools.

(6) To revitalize “foreign” language instruction in California schools.

51461. A pupil who completes all requirements for a high school diploma and who meets one of the following requirements shall qualify for a State Seal of Biliteracy:

(a) Scores 3 or higher on an advanced placement test of foreign language.

(b) Achieves English proficiency at advanced level on the California English Language Development Test.

(c) Successful completion of four years of language study in high school of a language other than English.

(d) Successful completion of a bilingual program in kindergarten or grades 1 to 12, inclusive.

51462. Under the policy direction of the Superintendent, the department shall do the following:

(a) Provide timely information to school districts so that school districts can maintain pupil records and identify pupils who meet the requirements of the State Seal of Biliteracy.

(b) Prepare and deliver to school districts an appropriate insignia to be affixed to the diploma and transcript of the pupil indicating that the pupil has been awarded a State Seal of Biliteracy by the Superintendent and the Governor.

51463. Each school district that confers high school diplomas shall maintain appropriate records in order to identify pupils who have earned a State Seal of Biliteracy and shall affix the appropriate insignia to the diploma and transcript of each pupil that earns a State Seal of Biliteracy.

1 51464. (a) It is the intent of the Legislature that no fee or
2 other cost be charged to any pupil pursuant to this article.
3 However, notwithstanding any other provision of law, a school
4 district receiving funds pursuant to Chapter 1 (commencing with
5 Section 54000) of Part 29 may expend any portion of those funds
6 to pay for all or part of the costs of one or more examinations
7 pursuant to this article that are charged to economically
8 disadvantaged pupils.

9 (b) An economically disadvantaged pupil means a pupil from
10 a family that receives Aid to Families with Dependent Children.

11 SEC. 3. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.